- - REMARKS - -

Claims 1-8 are pending in the application. Claims 2 and 4 have been cancelled. Claim 1 has been rewritten. The changes to the rewritten claim from the previous version to the rewritten version are shown in Appendix A (attached hereto as Tab A), with brackets for deleted matter and underlines for added matter. No new matter has been added as a result of this amendment.

In the outstanding final Office Action, claims 1-8 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In particular, the Examiner has objected to certain portions of claim 1, as amended by the previous Amendment filed July 22, 2003, as indefinite. Claim 2 has also been objected to a failing to further limit claim 1.

In the outstanding final Office Action, the Examiner has acknowledged that claims 1-8 would be allowable if amended to over the rejections under 35 U.S.C. § 112, second paragraph.

The rejection of claim 1 under 35 U.S.C. § 112, second paragraph, is respectfully traversed. This claim has nevertheless been amended to clarify the claimed invention and overcome the rejection. Claim 1 is therefore in condition for allowance. The remaining claims are each dependent on claim 1, and are therefore patentable for the same reasons that claim 1 is described above as patentable.

Accordingly, Applicant believes that the claims are in condition for allowance, and such allowance is now earnestly requested. If for any reason the Examiner is not able to allow the application, he is requested to contact the Applicant's undersigned attorney at (312) 321-4273.

Respectfully submitted,

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Appendix A

In the Claims:

Please amend claim 1 as follows:

1. (Amended Twice) An optical pickup comprising:

a light-emitting part having a plurality of light sources that emit a laser beam of first wavelength and a laser beam of a second wavelength having optical axes that are mutually parallel with a specific distance;

a light-receiving member having a light-receiving element; and

a beam splitter that admits each of the laser beams, delivers each of the laser beams toward optical disks, and guides return beams from the optical disks toward the light-receiving member where the light-receiving element receives the return beams, wherein:

the beam splitter is provided with a wavelength-separating layer, the wavelength-separating layer being comprised of a medium having a first interface and a second interface, and a material placed between the interfaces [and] having a specific refractive index, the first and second interfaces each having a first and a second wavelength selecting film formed thereon, which reflect or permeate the first and second wavelength laser beams each by specified rates;

the first interface reflects the laser beam of first wavelength and permeates the laser beam of second wavelength;

the second interface reflects the laser beam of second wavelength; and

the first and second interfaces permeate the laser beams of first and second wavelengths, with respect to the return beams; and further wherein

the wavelength separating layer is formed such that a reflecting position of the laser beam of first wavelength at the first interface and a delivering position of the laser beam of second wavelength at the first interface are set at the same positions, the optical axes of the respective laser beams are coincident to each other, and each of the laser beams is delivered from the beam splitter so as to cause the return beams to

permeate through the wavelength separating layer and to be guided toward the light-receiving member.